

**LONDONDERRY TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING MINUTES**

April 17, 2023

7:00 p.m.

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The Londonderry Township Planning Commission held their regularly scheduled monthly meeting on Monday, April 17, 2023 at the Londonderry Township Building, 783 S. Geyers Church Rd, Middletown, PA.

**Call to Order:** Vice-Chair, Patience Basehore called the meeting to order at 7:00 p.m.

**Roll Call/Members Present:**

Patience Basehore, Vice-Chair  
Irv Turpin, Member  
Bob Pistor, Member  
Solicitor Jim Diamond, Esq. Eckert Seamans  
Engineer Mike Wood, P.E., HRG  
Steve Letavic, Township Manager

**Absent:** Carolyn Stoner, Chair

**Others Present:**

Mark Magrecki, RLA , Penn Terra Engineers Inc, Columbia Pa.  
Mr. Nissley, 1940 South Geyers Church Road Sub- Division

**REGULAR MEETING:**

**Citizens Input :** There were no citizens attending the meeting that had citizens input.

**Approval of Minutes – March 20, 2023**

Mr.Turpin made the motion to approve the March 20, 2023 minutes as presented  
Mr. Pistor seconded the motion and there was no discussion. The motion approved.

**Codes/Zoning – Mike Wood, P.E.**

Nissley Subdivision

Mark Magrecki, RLA, consultant from Penn Terra Engineers Inc. attended the meeting on behalf of the applicant and presented the updated plans for the Nissley subdivision. This plan will create two new lots from the parent tract and have a shared driveway with a legal easement for shared access and maintenance. Jim Diamond, Township Solicitor, inquired as to who the lawyer was that created the easement. Mr. Magrecki indicated that there was no lawyer involved, that they merely copied and amended an old agreement. Mr. Diamond pointed out that as a matter of law that is not legal because it is practicing law without a license, and that they would need to have an attorney craft an easement in a form that is acceptable for Township Solicitor review and approval. Mr. Diamond also noted that we as the Township do not provide legal counsel to anyone other than the Township.

- Motion to consider making a recommendation to the Board of Supervisors approving the requested deferral of SALDO, Chap 22, Part 5, Sec 22-506 – Curbs and Gutters

Mr. Magrecki asked on behalf of his client, the Nissley's, for the Planning Commission to consider making a recommendation to the Board of Supervisors approving the requested deferral of SALDO, Chap 22, Part 5, Sec 22-506 – Curbs and Gutters for the Final Minor Subdivision Plan for Nathan Nissley located at 1940 South Geyers Church Road.

Mr. Turpin made the motion to recommend deferral of curbs and gutters for the Nissley subdivision to the Board of Supervisors. The motion was seconded by Mr. Pistor, motion was approved. .

**Call for Discussion:** Mr. Pistor, during discussion asked for clarification from Mr. Diamond on the difference between a waiver and a deferral. Mr. Diamond indicated that once an item is waived it is gone forever, it is an exemption, a deferral is just that, a deferral to a later time but not a waiver

All in favor. Motion carried.

- Motion to consider making a recommendation to the Board of Supervisors approving the requested deferral of SALDO, Chap 22, Part 5, Sec 22-507 Sidewalks for the Final Minor Subdivision Plan for Nathan Nissley located at 1940 South Geyers Church Road

Mr. Magrecki asked on behalf of his client, the Nissley's, for the Planning Commission to consider making a recommendation to the Board of Supervisors approving the requested deferral of SALDO, Chap 22, Part 5, Sec 22-507 Sidewalks for the Final Minor Subdivision Plan for Nathan Nissley located at 1940 South Geyers Church Road.

Ms. Basehore made the motion to recommend deferral of sidewalks for the Nissley subdivision to the Board of Supervisors. The motion was seconded by Mr. Turpin.

**Call for Discussion:** None

All in favor. Motion carried.

- Motion to the Board of Supervisors approving the Final Minor Subdivision Plan located at 1940 South Geyers Church Road

Mr. Magrecki asked on behalf of his client, the Nissley's, for the Planning Commission to consider making a recommendation to the Board of Supervisors approving the Final Minor Subdivision Plan located at 1940 South Geyers Church Road.

Mr. Pistor made the motion to make that recommendation. The motion was seconded by Mr. Turpin, subject to the following conditions as outlined by Mr. Diamond:

1. Submission of, and recording of, an easement agreement for the shared use and maintenance of the driveway. This easement must show clear site triangles and language relative to which lot is benefitted and which lot is burdened for maintenance. This easement must show, and be anchored to, metes and bounds for each property that is benefitted and burdened and include a narrative describing the starting and ending points of the metes and bounds. Further, the easement must be in a format acceptable to the Township Solicitor.
2. Written request from the applicant on the waiver for shade trees, action was taken at the prior Planning Commission meeting but the request needs to be formally made to be accepted. It cannot be granted if it was not submitted.

**Call for Discussion:** None

All in favor. Motion carried.

**Adjournment**

Mr. Turpin motioned to adjourn the meeting. Mr. Pistor seconded the motion.

**Call for Discussion:** None

All in favor. Meeting was adjourned at 7:42 p.m.

// SIGNATURE ON FILE //

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Adam Kopp, Secretary